

## REMARKS

Reconsideration of this application is respectfully requested.

The specification was objected to for failing to cross-reference applicants' parent application. The first line of the specification has been amended as suggested by the Examiner. Thus, the objection may be withdrawn.

The requirement for restriction was repeated and made final. Applicants have cancelled all of the non-elected claims in order to expedite prosecution of this application.

Claims 32-34 were rejected on the ground of non-statutory, obviousness-type double patenting as being unpatentable over claims 4 and 7-9 of U.S. Patent No. 6,399,294 ("the '294 patent"). Applicants respectfully traverse the rejection and request reconsideration for the following reasons.

Applicants' claims are directed to a kit for the detection of antibodies using a polypeptide of the invention and a detection reagent. None of claims 4 or 7-9 claim a polypeptide and a detection reagent. In fact, claim 9 of the '294 patent claims purified nucleic acid sequences, not peptides and a detection reagent. Nevertheless, in an effort to advance prosecution, applicants are filing herewith a Terminal Disclaimer with respect to the '294 patent. Thus, the double patenting rejection may be withdrawn.

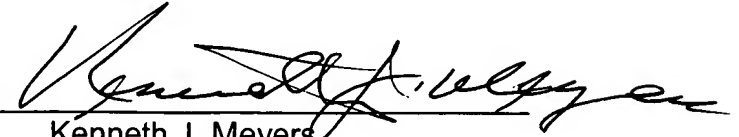
Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: April 5, 2006

By:

A handwritten signature in black ink, appearing to read "Kenneth J. Meyers", written over a horizontal line.

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**Attachments:      Terminal Disclaimer**